THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 36039 OF 1998

Dated 12th April, 2007

Between:

Pallam Ramaiah and others.

…Petitioners

And

The District Collector, Social Welfare,
Chittoor and another

… Respondents.

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ORAL ORDER:

The petitioners claim that they belong to Scheduled Caste community and are the residents of Chinthaparthi village of Vayalpadu Mandal, Chittoor District. It is the case of the petitioners that the respondents have acquired an extent of 10 acres of land in the village for the purpose of house sites. But, however, they have not followed the priorities for the purpose of allotment of house sites as per the guidelines framed in G.O.Ms.No.79, dated 19.6.1996.

There are 10 petitioners in the writ petition. In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner Nos. 6, 8 and 10 are having their pucca buildings at Chinthaparthy village and as such, they are not eligible and the petitioners 3 and 4 were already granted house site pattas in Survey Nos. 160 and 161/2A, respectively, situated at Chinthaparthy village. The petitioner who figured at Sl.No.4 is the same petitioner shown against Sl.No.5. It is further stated that the remaining 4 petitioners were found eligible and they were also granted house site pattas in Survey No.155.

In view of the averments in the counter-affidavit stating that whoever was found eligible was already granted patta and the petitioners 6, 8 and 10 are not eligible inasmuch as they are having their own buildings at Chinthaparthy village, which is not controverted by filing any reply, it cannot be said that the respondents have not followed the reservation as contemplated in G.O.Ms.No.79, dated 19.6.1996.

For the reasons stated above, there is no merit in the writ petition and the same is dismissed. No costs.

12-4-2007.

R.SUBHASH REDDY, J.

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